

UNITED STATES PATENT & TRADEMARK OFFICE

Re: Application of: **Birgit NEUDECKER et al.**
Serial No.: To Be Assigned
Filed: Herewith as continuation of U.S. Patent Application
No. 10/030,842, filed January 9, 2002
For: **TOPICALLY APPLIED IDEBENONE-CONTAINING
AGENT WITH PROTECTIVE AND
REGENERATIVE EFFECT**

LETTER RE: COPY OF DECLARATION IN CONTINUATION APPLICATION


Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 7, 2004

Sir:

The above-referenced application is a continuation of Application Serial No. 10/030,842, filed January 9, 2002, a copy of the declaration of which is submitted herewith in accordance with the provisions of MPEP § 201.06(c) and 37 CFR § 1.63(d).

Respectfully submitted,
DAVIDSON, DAVIDSON & KAPPEL, LLC

By 
Erik R. Swanson
Reg. No. 40,833

Davidson, Davidson & Kappel, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
(212) 736-1940

DECLARATION AND POWER OF ATTORNEY

Docket No.: 6006.1001

As a below named inventor, I hereby declare that

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

TOPICALLY APPLIED DEBENONE-CONTAINING AGENT WITH PROTECTIVE AND REGENERATIVE EFFECT,
the specification of which (check one)☐ is attached hereto☒ was filed on 19 May 2000 as International Application Serial No. PCT/DE00/01638 and was amended on (if applicable).☒ I hereby authorize and request our attorneys, Davidson, Davidson & Kappel, LLC of 485 Seventh Avenue, New York, New York 10018 to insert here in parentheses (application number _____) the filing date and application number of said application when known.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information that is known to me to be material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign and/or provisional application(s) for patent or inventor's certificate listed below and have also identified below any foreign and/or provisional application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR APPLICATION(S)

DE 199 32 197.3	Germany	9 July 1999	Priority claimed <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	Day/Month/Year Filed	
			Priority claimed <input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	Day/Month/Year Filed	

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial Number	Day/Month/Year Filed	Status
Application Serial Number	Day/Month/Year Filed	Status

And I hereby appoint Clifford M. Davidson, Reg. No. 32,728, Leslye B. Davidson, Reg. No. 38,864, Cary S. Kappel, Reg. No. 38,581, William C. Gehris, Reg. No. 38,156, Morey B. Wildas, Reg. No. 38,988, Robert J. Paradiso, Reg. No. 41,240, Erik R. Swanson, Reg. No. 40,833, Thomas P. Canty, Reg. No. 44,586, and all other registered attorneys and agents at Davidson, Davidson & Kappel, LLC, U.S. Patent and Trademark Office Customer Number 29280, my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith; correspondence address: DAVIDSON, DAVIDSON & KAPPEL, LLC, 486 Seventh Avenue, 14th Floor, New York, New York 10018; Telephone: (212) 736-1940; Fax: (212) 736-2427.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	Birgit NEUDECKER
Inventor's signature	<i>Birgit Neudecker</i>
Date	20. December 2001
Residence	Fuldatal-Rothwesten, Germany
Post Office Address	Gottfried-Kellerstr. 10, D - 34233 Fuldatal-Rothwesten, Germany
Citizenship	German

Full name of additional inventor	Eberhard WIELAND
Inventor's signature	<i>Eberhard Wieland</i>
Date	27. December 2001
Residence	Goettingen, Germany
Post Office Address	Stumpfe Elche 80 D - 37077 Goettingen, Germany
Citizenship	German

☒ Additional inventors named on attached sheet(s).

Page 1 of 2

BEST AVAILABLE COPY

DECLARATION AND POWER OF ATTORNEY

Docket No.: 5008.1001

Full name of additional inventor	Falko DIEDRICH
Inventor's signature	<i>Falko Diedrich</i>
Date	20. December 2001
Residence	Kaufungen, Germany
Post Office Address	Am Hang 16, D-34260 Kaufungen, Germany
Citizenship	German

Full name of additional inventor	
Inventor's signature	
Date	
Residence	
Post Office Address	
Citizenship	

Full name of additional inventor	
Inventor's signature	
Date	
Residence	
Post Office Address	
Citizenship	

Full name of additional inventor	
Inventor's signature	
Date	
Residence	
Post Office Address	
Citizenship	

Full name of additional inventor	
Inventor's signature	
Date	
Residence	
Post Office Address	
Citizenship	

Full name of additional inventor	
Inventor's signature	
Date	
Residence	
Post Office Address	
Citizenship	

Full name of additional inventor	
Inventor's signature	
Date	
Residence	
Post Office Address	
Citizenship	

Full name of additional inventor	
Inventor's signature	
Date	
Residence	
Post Office Address	
Citizenship	